

CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE

00-0-1880

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON September 28, 2000.**

3875 Bakers Ferry Road, SW	10
834 Huff Road, NW	9

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on September 28, 2000, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, September 28, 2000, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

**WHEREAS**, a period of 45 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
3875 Bakers Ferry Road, SW	10
834 Huff Road, NW	9

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (5) Vacate the structures, (if occupied).
- (6) Demolish the structures and clean the premises.
- (7) Plant grass in conformance with the Order of the In Rem Review Board
- (8) File a lien against the real property on which the structures(s) are attached  
In an amount necessary to recover the costs incurred by the City of Atlanta

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Phonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JAN 02, 2001  
JAN 08, 2001

## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Joseph W. Patterson  
Citizens Trust Bank  
Household Finance Corporation of Georgia

on 8-11-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

BEGINNING at an iron pin on the curb of the northwestern side of Bakers Ferry Road 1033 feet southwestwardly, as measured along said curb, from its intersection with the south side of Moon Drive(Road), which iron pin is also 772.2 feet southwestwardly, as measured along said curb, from an iron pin found at Cornell Boulevard (an 85 foot right-of-way), and which iron pin is at the southeast corner of property now or formerly owned by Lillie Belle Coleman and Ethel C. Davenport; running thence in a southwesterly direction along the curb of the northwestern side of Bakers Ferry Road 100 feet to an iron pin at the northeast corner of property now or formerly owned by John B. English property, which line forms an interior angle of 96 degrees 49 minutes with the preceding course, a distance of 529.6 feet to an iron pin; thence north 100 feet to an iron pin at the southwest corner of the Coleman and Davenport property hereinabove referred to; thence in an easterly direction along the southerly line of said property, which line forms an interior angle of 87 degrees 12 minutes with the preceding course, and which line forms an interior angle of 83 degrees 14 minutes with the northwesterly curb of Bakers Ferry Road, a distance of 546.6 feet to the iron pin on the curb of the northwesterly side of Bakers Ferry Road at the point of beginning, and being improved property known as 3875 Bakers Ferry Road, as more particularly shown on plat of survey designated "Property of Joseph Peterson" by John M. Carter, Jr., Registered Surveyor, dated March 14, 1967.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: August 11, 2000

BY:

Tale L. Angerson  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartier  
Assistant Real Estate City Attorney

**TO WHOM IT MAY CONCERN:**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Opal Pagan Johnson, Individually and as Executor Under the Will of Frank Daniel Tate  
Harriet McCurdy  
Amelia Tate, John Tate, Nossie Tate and Opal Johnson

on **9-8-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL of land lying and being in  
Land Lot 150 of the 17th District of Fulton County,  
Georgia, being Lot 18 of the Sunset Heights Subdivision  
as per plat recorded in Plat Book 11, Page 198 of the  
Fulton County Records, and more particularly described  
as follows:

Beginning 140 feet west of the southwest corner of West  
Lane and Blantown Road as shown on said plat, and  
running thence south 135.6 feet; thence west 39.7 feet;  
thence north 141 feet; thence east 40 feet to the point  
of beginning. Known as 834 Huff Road N.W., in the  
City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 8, 2000

BY: Dale S. Haygood  
Bureau of Neighborhood Conservation, Official Agent  
BY: Bill Carter  
Assistant Real Estate City Attorney

RCS# 2517  
1/02/01  
3:28 PM

Atlanta City Council

Regular Session

*As Amended*

MULTIPLE

Items 1-5 (00-O-1878); 00-O-1879;  
00-O-1880; 00-O-1881; 00-O-1885  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Wooldard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

00-0 -1880

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE  
AN ORDINANCE AUTHORIZING THE MAYOR TO  
DIRECT THE DEPARTMENT OF PLANNING,  
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION  
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO  
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS  
STRUCTURES, PURSUANT TO ARTICLE III OF THE  
ATLANTA HOUSING CODE AND A HEARING  
CONDUCTED BY THE IN REM REVIEW BOARD ON  
September 28, 2000.

3875 Bakers Ferry Road, SW 10  
834 Huff Road, NW 9

ADOPTED BY  
JAN 0 2 2001  
COUNCIL

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 12/4/00

Referred To:  
Community Development / Human Resources  
Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee  
Date  
Chair  
Referred to

CD/HR  
12/13/00  
Chair  
CD/HR

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
JAN 2 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

CERTIFIED  
JAN 0 2 2001  
Shirley L. Johnson  
TREASURER

MAYOR'S ACTION

Adrian C. Ford  
JAN 0 2 2001